**Composting Rules:**

OAC Chapter 3745-560, Multi-program chapters 3745-500, 3745-501, 3745-503

Draft rules have been release for comment with a comment period ending **April 7, 2017**.

[**http://epa.ohio.gov/Portals/34/document/draftrule/ipnotification\_560.pdf**](http://epa.ohio.gov/Portals/34/document/draftrule/ipnotification_560.pdf)

Comments Received:

-We were pleased about the increase of the exempted area from 300 to 500 square feet. We think we should comment regarding the concept of the removal of 25% of the volume the following year. We should also comment on the concept of excluding the mulch storage with incidental decomposition from the composting regulations as OEPA states. It appears that anything else we regulate will remain unchanged.

Committee Action Item- Comments need to be prepared for consideration by the board

**Infectious Waste Rules**

Early Stakeholder Outreach issued with comment period through **April 21, 2017**.

[**http://epa.ohio.gov/Portals/34/document/draftrule/ESO\_IW 3\_14\_2017.pdf**](http://epa.ohio.gov/Portals/34/document/draftrule/ESO_IW%203_14_2017.pdf)

Proposed is a complete reorg of the rules out of 27 into the 500 series as is being done across most SW programs. Also being considered is reestablishing the storage conditions and timeframes from infectious waste generator to treatment facilities to prevent instances of aged untreated infectious waste and illegal disposal of large accumulations.

Summit Co. and Cuyahoga Co. have both had issues with stockpiling boxes of infectious waste by transporters. This has caused a nuisance situation with up to 7 semi-trailers worth being stockpiled in Summit County.

Committee Action Item – Letter of support needs to be drafted for consideration by the board…Coordinate with AOHC

**Scrap Tire Rules**

Early Stakeholder Outreach issued with comment period through **April 24, 2017**.

<http://epa.ohio.gov/Portals/34/document/draftrule/ESO_Tires%203_24_17.pdf>

This ESO covers the 20 scrap tire rules. Eighteen of these rules have a five year review date in 2019. Two of the rules are up for review in 2020. Proposed is a complete reorg of the rules out of 27 into the 500 series as is being done across most SW programs.

Webinar on Wednesday April 5, 2017 at 1:30 p.m. to answer questions regarding the rulemaking process and the ESO for the Scrap Tire Regulations.

<https://ohioepa.webex.com/ohioepa/onstage/g.php?MTID=e7159e41ac81ffd3a070593db9e8ec309>

Users will dial into the 1-614-230-0229 or 1-877-372-2917 and dial Meeting ID (46467) then press #

**Transfer Facility Rules:**

OAC Chapter 3745-555, Multi-program chapters 3745-500, 3745-512

The rules were completely reorganized from 27 into the 500 series and final filed with an effective date of April 1, 2017. The rescission of OAC 3745-27-21 through 3745-27-24 will also become effective on April 1, 2017.

See below for a summary of changes:

<http://epa.ohio.gov/portals/34/document/guidance/changes%20to%20rule.pdf>

**Construction and Demolition Debris (C&DD) Rules**

OAC 3745-400-13, 3745-400-14, 3745-400-16, 3745-400-17, 3745-400-18, and 3745-400-25

The rules have a five year rule review date of 8/1/17. An Early Stakeholder Outreach (ESO) was released in October 2016 . We are involved in ongoing meetings with OEPA and CDAO centered on Financial Assurance use of Environmental Covenants and Extension of Post Closure Period. Meeting scheduled for 3/29/17 to be rescheduled.

**Municipal Solid Waste (MSW) Landfill Rules:**

OAC Chapter 3745-27

The rules were final filed effective date of January 1, 2017, 3745-27-10 – Groundwater Monitoring for MSW effective date of March 6, 2017.

**Beneficial Use Rules:**

OAC Chapter 3745-599

The rules were final filed have an effective date of March 31, 2017.

**Research, Design, or Demonstration (RD&D) Rules:**

OAC 3745-27-80 through 3745-27-88 were final filed with an effective date of February 7, 2017.

**Operator Certification Rules**

Class I and II Composting Operators, C&DD Operators

Both have been temporarily back-burnered for compost rule work.

**Senate Bill 2**

We provided proponent testimony for OEPA being authorized to write rules regulating C&DD recycling operations, bringing them under permit/license. Further provisions in Senate Bill 2 will allow property access and use existing state waste funds to investigate sites used for the disposal of solid waste and C&DD and remediate situations where there is a substantial threat to public health, safety, or the environment. This bill passed unanimously by the Ohio Senate on March 15th and is on it’s way to Ohio House committee process. We will provide testimony there as well when called upon.

**House Bill 49 (Budget Bill)** Solid Waste issues raised:

1. A transfer of up to $3M from Scrap Tire fund to the E-Check fund

2. The certification requirement of health department staff to be able to inspect solid waste facilities but not OEPA staff.

Comments Received:

- Our SWMD is budgeting $100K in 2018 for enforcement of primarily scrap tire laws using a county sheriff deputy. Perhaps a more appropriate use of this scrap tire fund is grants for enforcement type of activity rather than unrelated E-check in 7 counties.

-I believe the money from the scrap tire fund would be more appropriately used toward enforcement. Our SWMD does not specifically support scrap tire enforcement or funding a deputy. They are primarily interested in residential recycling opportunities, food composting, and landfill diversion, without much emphasis on enforcement outside of our mandated inspections. If there was a different way to acquire funds for law enforcement assistance, such as grants, that could be quite beneficial to us and other counties that don’t currently have a county deputy enforcing scrap tire laws.

- The orphan landfill program is nearly out of money. according to the program manager there is not enough money to address all the issues at the inactive and closed solid waste facility the state.

- This money should be used for orphan landfill (thanks Mary Helen), cleanups, monitoring, whatever is solid waste. Another option would to resign taking the majority of money from license fees and give it back to the local health departments that are enforcing the regulations of solid waste so the accounts do not grow so large that other divisions would like to get their hands into the money.

- Why is there belief that EPA inspectors are better trained to enforce the solid waste or infectious waste provisions?

I have always argued that our RS should be equivalent to any certification. Of course if you work in the solid waste field I hope you are getting CEU’s and watching webinars, or just researching the latest happenings in the field. But what really is being said here is that RS’s that are employed by the boards of health are not comparable to an employee of the EPA. I would argue against this ad nauseam, I have worked with the EPA employees for over 29 years, of course there are great ones, knowledgeable ones but not necessarily better trained nor better educated. Frankly, if EPA employees are enforcing the same regulations as a RS from a local board of health then get the same certification. (Hmmm, are not most of the EPA employees in solid waste RS’s, where did they get their registration?)

If the EPA employees have an input into this, they need to support their equals in the environmental field.

Or best of both worlds, get rid of the requirement for certification.

- While it is not spelled out in the legislation, EPA staff will also go through the certification program. We have been told that from the beginning. Unfortunately it has not been communicated very well, if at all.

Committee Action Item – As there are many programs affected by the budget bill, submit to Board reasons to prioritize these SW issues for change.

Committee Members

Tracy Buchanan, R.S. Southwest

OEPA-SWDO, Dayton

Tom Hut, R.S. Southwest

Public Health—Dayton & Montgomery County, Dayton

Robert Wildey, R.S. Southwest

Clermont County General Health District

Jeff Gibbs, R.S. Southeast

Franklin County Public Health, Columbus

Julie Brown R.S. Northeast

Summit County Health Department, Stow

Dave Fetchko

Ryan Tekac Northeast

Mahoning County Health District

Dane Tussel, R.S. Northeast

Cuyahoga County District Board of Health, Parma

John Sabo R.S. Northeast

Lorain County General Health District

Randy Ruszkowski R.S. Northeast

Paul DePasquale, R.S.

Stark County Health Department